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15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**

17 SARAH GAGAN, an individual,
18 CLAIRE GAGAN, an individual, and
19 HALO'S HEART, LLC, a California
20 Limited Liability Company,

21 Plaintiffs,

22 v.

23 MARC ANTOINE GAGNON, an
24 individual; MEGGIE ROY, an individual,

25 Defendants.

26 Case No. 5:22-cv-00680-SSS-SP
27 Hon. Sunshine S. Sykes

28 **[PROPOSED] ORDER ENJOINING**
DEFENDANTS MARC ANTOINE
GAGNON AND MEGGIE ROY

[Filed Concurrently with Notice of
Motion for Preliminary Injunction,
Motion and Declarations in Support
Thereof]

Date: January 13, 2023

Time: 2:00 PM

Dept: 2

21
22 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

23 Plaintiff Halo's Heart, LLC's Motion for a Preliminary Injunction came on for
24 regular hearing on January 13, 2023 at 2:00 p.m. Having considered the
25 Memorandum of Points and Authorities in support thereof and the supporting
26 declarations and evidence, as well as any oppositions, declarations and evidence in
27 support thereof, the Plaintiff's reply brief and any oral arguments presented at the
28

1 time of hearing. Plaintiff's Motion for Preliminary Injunction is hereby GRANTED.

2 **FINDINGS OF FACT**

3 Having reviewed Plaintiff Halo's Heart, LLC's Motion for a Preliminary
4 Injunction, the Memorandum of Points and Authorities in support thereof and the
5 supporting declarations and evidence, as well as any oppositions, declarations and
6 evidence in support thereof, the Plaintiff's reply, and any oral arguments presented
7 at the time of hearing it appears to the satisfaction of the Court that:

- 8 1. There is good cause to believe that Defendant Marc Antoine Gagnon and
9 Meggie Roy are not in lawful possession of the Bel Air Home, are in
10 violation of their lease related to the Bel Air Home, and are not authorized to
11 continue to alter the Bel Air Home;
- 12 2. Plaintiff Halo's Heart is likely to prevail on the merits of this action;
- 13 3. There is good cause to believe that immediate and irreparable harm will
14 result from Defendants' continued renovation and/or construction of the
15 contested property absent entry of the injunction;
- 16 4. There is good cause to believe that the balance of equities tip in Plaintiff's
17 favor;
- 18 5. Weighing the equities and considering the Plaintiff's likelihood of success in
19 its causes of action, the Order is in the public interest.

20 **ORDER**

21 **IT IS THEREFORE ORDERED** that Defendants Marc Antoine Gagnon
22 and Meggie Roy, directly or through any corporation, partnership, subsidiary, or
23 other device, their officers, agents, servants, representatives, employees and all
24 persons or entities in active concert or participation with them, who receive actual
25 notice of this Order by personal service or otherwise, are hereby enjoined and
26 restrained from:

- 27 1. Altering or causing to alter, in any way, the real property located at 72646
28 Bel Air Road, Palm Desert, California 92260, Riverside County Assessor's

Parcel Number 628-181-002-0 (the “Palm Desert Property”), including, but not limited to, construction, renovation and/or remodeling of the Palm Desert Property;

2. Conducting any unpermitted work, or causing any unpermitted work upon the Palm Desert Property;
3. Seeking and/or obtaining permits from any governmental agency to conduct construction, alterations, renovations or remodeling of the Palm Desert Property.

IT IS SO ORDERED.

Date: January _____, 2023

The Hon. Sunshine S. Sykes
United States District Judge